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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,284	03/02/2006	Su Gen Kim	114260017	5165
24573	7590	09/02/2009		
K&L Gates LLP P.O. Box 1135 CHICAGO, IL 60690			EXAMINER KEE, FANNIE C	
			ART UNIT 3679	PAPER NUMBER
			MAIL DATE 09/02/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/566,284

Applicant(s)

KIM, SU GEN

Examiner

Fannie Kee

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-18 is/are allowed.
- 6) ☒ Claim(s) 1, 4-6, 8 and 9 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 7 and 10-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2009 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because in Figures 6-8 and 10, the correct cross-hatching pattern is missing for drawing element “20”. Figures 1 and 2 correctly show the correct cross-hatching pattern for drawing element “20”.

See MPEP 608.02 for the correct cross hatching patterns.

2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 10 is objected to because of the following informalities: replace the word “while” with --when-- in line 5.

Correction is required.

4. Claim 16 is objected to because of the following informalities: replace the word “while” with --when-- in line 13.

Correction is required.

5. Claims 1, 13, and 15-17 are objected to because of the following informalities: replace the words “the flange” with --each flange-- in line 3.

Correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 5, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Baker U.S. Patent No. 6,394,507.

With regard to claim 1, and as seen in Figure 2 below, Baker discloses a pipe joint device, comprising:

flanges (102a, 102) mounted to ends of pipes to be coupled together or ends of both a pipe and a pipe joint to be coupled together, the flange having at least one ring groove (grooves at (114, 114a) around an outer circumferential surface thereof;

a packing (122, 120) mounted to the flanges and having inner rings protruding from and integrally formed around an inner circumferential surface of the packing to closely engage with the ring grooves of the flanges; and

a clamp (32a, 32) having a packing seat (34, 124a) to seat the packing therein, with a support sidewall formed by a radial inward extension of each side of the clamp, the clamp being divided into a plurality of clamp parts so that the clamp parts are placed around the packing and are fastened together by a locking member.

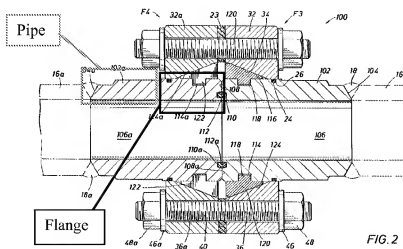


FIG. 2

With regard to claim 5, Baker discloses the flanges *capable of* being mounted through a welding process.

Note, the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation is given little patentable weight.

With regard to claim 6, and as seen in Figure 2, Baker discloses the flanges being stopped by the support sidewalls of the clamp (via the sealed connection between the support sidewalls and the seals 24 and 24a) so that the pipes or the pipe and the pipe joint are prevented from being removed from the clamp.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker.

With regard to claim 4, Baker discloses the claimed invention but does not disclose that the flanges are mounted to the ends of both a pipe and a pipe joint, and that the pipe joint is selected from the group consisting of a valve, a reducer, a tee and an elbow.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have mounted the flanges to the ends of both a pipe and a pipe joint, and to have the pipe joint be selected from the group consisting of a valve, a reducer, a tee and an elbow because inasmuch as the reference discloses these elements as art recognized equivalents (column 1, lines 16-19), it would have been obvious to one of ordinary skill in the exercise art to substitute one for the other. In re Fout, 675 F.2d 297, 301, 213 USPQ 532, 536 (CCPA 1982).

With regard to claim 8, Baker discloses the claimed invention but does not disclose that the packing has at least one circumferential hollow therein.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the packing have at least one circumferential hollow therein to allow the packing to be flexible with regard to changes in temperature and conditions.

With regard to claim 9, Baker discloses the claimed invention but does not disclose that the packing comprises at least two circumferential hollows which are symmetrically formed in opposite sides of the packing.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the packing have at least two circumferential hollows which are symmetrically formed in opposite sides of the packing to allow the packing to be flexible with regard to changes in temperature and conditions.

Allowable Subject Matter

10. Claims 2, 3, 7, and 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With regard to claim 2, the prior art of record does not teach or suggest that the packing comprises a main channel formed along a central line of an outer circumferential surface of the packing, and the clamp comprises a central rib formed on the packing seat to correspond to the main channel in combination with the pipe joint device of claim 1.

Claim 3 depends from claim 2 and would be found allowable should claim 2 be found allowable.

With regard to claim 7, the prior art of record does not teach or suggest that each of the flanges is provided with a support groove around the outer circumferential surface thereof so that the support sidewalls of the clamp are seated in ring-shaped support grooves of the flanges to prevent the pipes or the pipe and the pipe joint from being removed from the clamp in combination with the pipe joint device of claim 1.

With regard to claim 10, the prior art of record does not teach or suggest that an anti-friction member made of metal is located on at least a part of the outer circumferential surface of the packing so as to reduce friction between the clamp parts and a deformed part of the packing

when the clamp parts are fastened together around the packing in combination with the pipe joint device of claim 1.

With regard to claim 11, the prior art of record does not teach or suggest that an adjusting member is inserted into each of the support sidewalls of the clamp to compress the packing, placed between the support sidewalls of the clamp, in a direction of thickness of the packing in combination with the pipe joint device of claim 1.

Claim 12 depends from claim 1 and would be found allowable should claim 11 be found allowable.

Response to Arguments

11. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Cook et al is being cited to show the general mechanical state of the art.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fannie Kee whose telephone number is (571) 272-1820. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron M Dunwoody/
Primary Examiner, Art Unit 3679

/F. K./
Examiner, Art Unit 3679
August 27, 2009